

**Fire Safety Code Board
Of Appeal & Review
Minutes of June 30, 2009 hearing**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, June 30, 2009 at 1:00 P.M. Present were Acting Chairman Newbrook and Commissioners Jasparro, Pearson, Blackburn, Preiss, Walker, Dias, Jackson and Filippi. Chairman Coutu and Commissioner Richard were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #050073A: Mr. Kenneth Mancuso, for the property located at One Sabin Street in Providence. Chief of Plan Review Wade Palazini and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. Assistant Deputy State Fire Marshals Lutz, Vespia and Silva appeared for the Providence Fire Marshal's office. It was determined that the parties would meet after the hearing to attempt to resolve the issues presented and, if necessary, return to the Board on July 28, 2009.

APPEAL #060907: Joslin Community Center, for the property located at 231 Amherst Street in Providence. Commissioner Jackson recused himself from consideration of this case. DSFM David Cionfolo appeared for the State Fire Marshal's office. Commissioner Pearson

made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance until September 1, 2011 to bring the hood and duct system over the cited stoves into compliance. The motion was unanimous.

APPEAL #070151: Wally Realty LLC, for the property located at 900 Victory Highway, North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Jasparro, to grant the Applicant the following relief. The Applicant is granted a variance in order to allow him to maintain the current exit arrangement, with panic bars if deemed necessary by the North Smithfield Fire Marshal's office, at the direction and to the satisfaction of that office. The Applicant is granted a time variance of thirty (30) days in which to prepare and submit plans to the North Smithfield Fire Marshal's office for a compliant fire alarm system for this facility. The Applicant is granted an additional 120 days in which to implement the plan of action. The North Smithfield Fire Marshal's office is granted the authority to extend the above deadline for good faith efforts shown by the Applicant. The motion was unanimous.

APPEAL #070189: Leite Holdings for the property located at 620 Annaquatucket Road in North Kingstown. ADSFM Gordon Walsh appeared for the North Kingstown Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of thirty (30) days in

which to prepare and present a plan of action to the North Kingstown Fire Marshal's office for the correction of all outstanding deficiencies in this facility. The Applicant is granted an additional 120 days in which to implement the plan of action. The motion was unanimous.

APPEAL #070065: Ms. Linda Martin, for the property located at 247 Boston Neck Road in North Kingstown. ADSFM Gordon Walsh appeared for the North Kingstown Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of thirty (30) days in which to prepare and present a plan of action to the North Kingstown Fire Marshal's office for the correction of all outstanding deficiencies in this facility. The Applicant is granted an additional 120 days in which to implement the plan of action. The North Kingstown Fire Marshal is authorized to extend the above deadline for good faith efforts on behalf of the Applicant. The motion was unanimous.

APPEAL #070252: Diversified Realty Co., LLC, for the property located at 1 Tower Hill Road, North Kingstown. ADSFM Gordon Walsh appeared for the North Kingstown Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days in which to prepare and present a plan of action to the North Kingstown Fire Marshal's office for the correction of all outstanding deficiencies in this facility. The Applicant is granted an additional 120 days in which to implement the plan of action. The North Kingstown Fire

Marshal is authorized to extend the above deadline for good faith efforts on behalf of the Applicant. The motion was unanimous.

APPEAL #090181: St. Andrews School, for the property located at 63 Federal Street in Barrington (The McVicker Building). Chief Gerald Bessette appeared for the Barrington Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Jackson, to grant the Applicant a variance to allow the office to remain open for access to the fire escape and to make any corrections at the direction, to the satisfaction and within a timetable established by the Barrington Fire Marshal's office. The motion was unanimous.

APPEAL #090182: St. Andrews School, for the property located at 63 Federal Street in Barrington (Perry Hall). Chief Gerald Bessette appeared for the Barrington Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Filippi, to allow student to re-occupy this hall now that sprinklers have been installed. The motion was unanimous.

APPEAL #090183: St. Andrews School, for the property located at 63 Federal Street in Barrington (Gardiner Hall/Adams Building). Chief Gerald Bessette appeared for the Barrington Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Walker, to grant the following relief. The Applicant is

granted a variance, based upon structural hardship, in order to maintain the current west exterior stairs, the cited winding stairs and the low basement ceiling at the point of pipe projection. The Applicant is granted a time variance of thirty days in which to prepare and submit a plan of action for the correction of all outstanding deficiencies including, but not limited to the installation of a compliant fire alarm system and the painting of the above pipe projection into the basement of this facility. The applicant is granted an additional 120 days in which to implement the plan of action. The Barrington Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts on the part of the Applicant. The motion was unanimous.

Respectfully submitted,
Carol Marsella